

State Water Resources Control Board

TO: Mr. John Laird
California Secretary for Natural Resources
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

RECEIVED

FEB 10 2016

FROM: 
Victoria A. Whitney, Deputy Director
DIVISION OF WATER QUALITY

Natural Resource Agency-Legal

DATE: **DEC 18 2015**

SUBJECT: TRANSMITTAL OF NOTICE OF DECISION FOR THE AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR OCEAN WATERS OF CALIFORNIA TO CONTROL TRASH AND PART 1 TRASH PROVISIONS OF THE WATER QUALITY CONTROL PLAN FOR INLAND SURFACE WATERS, ENCLOSED BAYS, AND ESTUARIES

On April 7, 2015, the State Water Resources Control Board (State Water Board) adopted Resolution No. 2015-0019 to amend the Water Quality Control Plan for Ocean Waters of California (Ocean Plan) to control Trash and to establish Part 1 Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries (collectively referred to as the Trash Amendments). The Office of Administrative Law (OAL) approved the Trash Amendments on December 2, 2015.

The State Water Board's planning process is a certified regulatory program under the California Environmental Quality Act (CEQA), as provided in section 21080.5 of the Public Resources Code. Completion of the CEQA process involves the submittal of CEQA document filing fees with the Department of Fish and Wildlife and subsequently filing of a Notice of Decision with the California Natural Resources Agency.

Attached are copies of the Notice of Decision, Department of Fish and Wildlife Environmental Filing Fee Cash Receipt for the Trash Amendments adopted by State Water Board, State Water Board Resolution No. 2015-0019, OAL's Notice of Approval, and the Environmental Checklist. Please date stamp, scan, and electronically return the Notice of Decision for our records of the date the Natural Resources Agency received for filing.

Should you have any questions regarding the Trash Amendments, please contact Dr. Maria de la Paz Carpio-Obeso at (916) 341-5858 or by e-mail (MarielaPaz.Carpio-Obeso@waterboards.ca.gov.)

Attachments (5):

Notice of Decision
Fish and Wildlife Environmental Filing Fee Cash Receipt
State Board Resolution 2015-0019
OAL's Notice of Approval
Environmental Checklist

cc: with attachments

Stacy E. Gillespie
State Water Resources Control Board
Office of Chief Counsel, Senior Counsel
1001 I Street
Sacramento CA, 95814

Mariela Paz Carpio-Obeso,
State Water Resources Control Board
Ocean Unit Chief DWQ
1001 I Street
Sacramento CA, 95814

Notice of Decision

TO: John Laird
Secretary of the California Natural Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

FROM: State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

SUBJECT: Filing of Notice of Decision in compliance with section 21080.5
of the Public Resources Code

PROJECT PROPONENT: State Water Control Board, Division of Water Quality

PROJECT TITLE: TRANSMITTAL OF NOTICE OF DECISION FOR AN
AMENDMENT TO THE WATER QUALITY CONTROL PLAN
FOR OCEAN WATERS OF CALIFORNIA TO CONTROL
TRASH AND PART 1 TRASH PROVISIONS OF THE WATER
QUALITY CONTROL PLAN FOR INLAND SURFACE
WATERS, ENCLOSED BAYS, AND ESTUARIES

LOCATION: Surface Waters of the State

DESCRIPTION: On April 7, 2015 The State Water Resources Control Board
adopted Resolution 2015-0019, which approved and
"Amendment to the Water Quality Control Plan for Ocean
Waters of California to Control Trash" and "Part 1 Trash
Provisions of the Water Quality Control Plan for Inland Surface
Waters, Enclosed Bays, and Estuaries (collectively referred to
as Trash Amendments).

- (1) The Trash Amendments provide a consistent regulatory approach to protect the
beneficial uses of surface waters of the state from impacts of trash through a land use-
based compliance approach to focus limited resources on high-trash generating areas.
- (2) The Trash Amendments apply to all surface waters of the State, with the exception of
those waters within the jurisdiction of the Los Angeles Regional Water Board where
trash or debris Total Maximum Daily Loads (TMDLs) are in effect prior to the effective
date of the Trash Amendments.
- (3) The Trash Amendments include six primary elements: a narrative water quality
objective, a prohibition of discharge, corresponding applicability, implementation
provisions, a time schedule, and monitoring and reporting requirements.

CONTACT PERSON: Maria de la Paz Carpio-Obeso at (916) 341-5858
(email: MarielaPaz.Carpio-Obeso@waterboards.ca.gov)

This is to advise that the State Water Board has made the following determination regarding the above described project:

The project has been: X approved
 disapproved

Victoria A. Whitney
Victoria A. Whitney
Deputy Director
Division of Water Quality
State Water Resources Control Board

12/18/15
Date

Date received for filing: _____



STATE OF CALIFORNIA
DEPARTMENT OF FISH AND GAME
ENVIRONMENTAL FILING FEE CASH RECEIPT
DFG 753.5a (01/2002)

Receipt No: **5103**

Date: 10/15/2015

Lead Agency: **SWRCB**

Invoice Date: 4/29/2015

State Agency of Filing: **Department of Fish and Game**

Document No: **EA10CDFW**

Project Title: **Amend to the Ocean to Control Trash**

Deposit No: **5**

SWRCB
1001 I Street, 15th Floor
Sacramento, CA 95814

Project Applicant Name
Project Applicant Address:
City, State, Zip

Project Applicant (check appropriate box) Local Public Agency ☐ School District ☐ Other Special District ☐
State Agency ☒ Private Entity ☐

APPLICABLE FEES:

Environmental Impact Report:	\$0.00
Negative Declaration:	\$0.00
Application Fee Water Diversion (State Water Resources Control Board Only):	\$1,043.75
Projects Subject to Certified Regulatory Programs	\$0.00

Lien fee: \$0.00

Penalty: \$0.00

County Administrative Fee: \$0.00

☐ Project exempt from fees \$0.00

Other Fee: \$0.00

Total Received **\$1,043.75**

Person receiving payment: Bill Terry, Accountant I

Copies - Project Applicant, DFG/ASB



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

October 15, 2015

California Department of Fish and Wildlife
Accounting Services Branch
Attn: Cash Receipts
1416 9th St., Suite 1215
Sacramento, CA 95814
(916) 653-0895

SUBJECT: California Department of Fish and Wildlife Environment Filing Fee Payment

The State Water Resources Control Board (State Water Board) is certified as meeting the requirement under Section 21080.5 of the California Environmental Quality Act (CEQA). Completion of the CEQA review process for environmental documents prepared for the Water Quality Control Plan amendments requires filing a fee with the California Department of Fish and Wildlife (DFW).

On April 7, 2015 the State Water Board adopted Resolution 2015-0019 which approved an "Amendment to the Water Quality Control Plan for Ocean Waters of California to Control Trash" and "Part 1 Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries" (collectively referred to as the Trash Amendments). The Trash Amendments are being submitted to the California Office of Administrative Law (OAL) for approval. Following approval from OAL and filing of the Notice of Decision with the Secretary of the California Natural Resources, the State Water Board is required to pay the filing fee to DFW.

We are submitting a check to DFW for \$1,043.75, which is the 2015 fee for certified regulatory programs. Please sign the two disbursement vouchers submitted with the check and return to the State Water Resources Control Board, P.O. Box 100, Sacramento, CA 95812-0100.

Please send a receipt for payment of this filing fee addressed to Dr. Maria de la Paz Carpio-Obeso, State Water Resources Control Board, P.O. Box 100, Sacramento, CA 95812-0100.

OCT 16 2015 0000005

1043.75

ELISA A. MARQUEZ, CHAIR | THOMAS HOWARD, EXECUTIVE OFFICER

10011 Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION 2015-0019**

**AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR OCEAN WATERS OF
CALIFORNIA TO CONTROL TRASH AND PART 1 TRASH PROVISIONS OF THE WATER
QUALITY CONTROL PLAN FOR INLAND SURFACE WATERS, ENCLOSED BAYS, AND
ESTUARIES OF CALIFORNIA**

WHEREAS:

1. The State Water Resources Control Board (State Water Board) adopted the Water Quality Control Plan for the Ocean Waters of California (Ocean Plan) in 1972 and last revised it in 2012.
2. On March 15, 2011, the State Water Board adopted the California Ocean Plan Triennial Review Workplan by Resolution 2011-0013, directing State Water Board staff to review the high priority issues identified in the workplan, including the control of plastic debris and other trash, and make recommendations for any necessary changes to the Ocean Plan.
3. Trash in the State's surface waters is a pervasive problem and adversely affects numerous beneficial uses including, but not limited, to wildlife habitat, marine habitat, preservation of rare and endangered species, fish migration, navigation, and water contact and non-contact recreation.
4. Studies show that trash is predominantly generated on land and then transported to a receiving water body. The main transport pathway of trash to receiving water bodies is through storm water transport.
5. In accordance with Clean Water Act section 303(d), the 2010 Integrated Report identifies seventy-three water segments as impaired for trash or debris in California.
6. Water quality objectives adopted by the nine Regional Water Quality Control Boards (referred to collectively as Regional Water Boards and individually as Regional Water Board) vary for trash. The State Water Board and Regional Water Boards implement trash controls through various means, including storm water permits, adopting and implementing total maximum daily loads (TMDLs), and waste discharge requirements. Waters continue to be impaired by trash, the regulatory control approaches vary, and there is a need for statewide uniformity to control trash.
7. The State Water Board is authorized to revise and adopt water quality control plans in accordance with the provisions of Water Code sections 13240 through 13244 for waters for which water quality standards are required by the federal Clean Water Act. (Water Code § 13170.)

8. The goal of the Amendment to the Ocean Plan and Part I Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California (ISWEBE Plan) (collectively referred to as the Trash Amendments or individually as Trash Amendment) is to address the impacts of trash to the surface waters of California through the establishment of a statewide narrative water quality objective and implementation requirements to control trash, including a prohibition against the discharge of trash.
9. The Staff Report developed for the Trash Amendments, titled "Proposed Final Staff Report, including the Substitute Environmental Documentation" is a detailed technical document that analyzes and describes the necessity and rationale for the development of the statewide water quality objective and the implementation plan to control trash.
10. Pursuant to Water Code section 13170, a water quality control plan adopted by the State Water Board supersedes a water quality control plan adopted by a Regional Water Board, to the extent any conflict exists for the same waters. There are no conflicts between the Trash Amendments and any existing water quality control plan.
11. The Trash Amendments apply to all surface waters of the State, with the exception of those waters within the jurisdiction of the Los Angeles Regional Water Board where trash or debris TMDLs are in effect prior to the effective date of the Trash Amendments.
12. The water quality objective shall be implemented through the prohibition of discharge and other implementation requirements through permits issued pursuant to section 402, subsection (p), of the Clean Water Act, waste discharge requirements, or waivers of waste discharge requirements.
13. In accordance with Water Code section 13241, in establishing the narrative water quality objective for trash, the State Water Board considered, as discussed more fully in the Staff Report (at Section 9 and Appendix C), the applicable factors in establishing the narrative water quality objective for trash: the past, present, and probable future beneficial uses of surface waters that can be impacted by trash; environmental characteristics of these waters; water quality conditions that could reasonably be achieved through a coordinated control effort, and economic considerations. Adoption of the Trash Amendments is unlikely to affect housing needs or the development or use of recycled water.
14. In developing, considering, and adopting the Trash Amendments, the State Water Board complied with the procedural requirements contained in the regulations applicable to the State Water Board's certified exempt regulatory programs to comply with the California Environmental Quality Act (CEQA) (23 Cal. Code Regs. §§ 3720-3780):
 - a. On June 26, 2007, the State Water Board held a public scoping meeting in San Francisco regarding a potential amendment to the Ocean Plan to address trash and solicited comments from the public and public agencies on the scope of the project, alternatives, reasonably foreseeable methods of compliance, and the content of the environmental analysis to be considered in the development of the project.
 - b. On October 7 and 14, 2010, the State Water Board sought public consultation in Rancho Cordova and Chino, respectively, regarding a statewide policy for controlling trash in waters of the state, and solicited comments on the scope and content of the environmental information to be considered in the development of the project.

- c. The State Water Board convened a Public Advisory Group composed of ten stakeholders representing municipalities, California Department of Transportation, industry, and environmental groups. The Public Advisory Group met on July 26, 2011, August 30, 2011, October 12 and 13, 2011, May 22, 2012, August 13, 2012, and March 6, 2013 to provide comments on, and feedback to, the development of the proposed Trash Amendments and Draft Staff Report.
 - d. In March, April, and May 2013, State Water Board held fourteen focused stakeholder meetings to provide an overview of the development of the proposed Trash Amendments and to receive feedback on key issues prior to the development and distribution of the proposed Trash Amendments and the Draft Staff Report.
 - e. On June 10, 2014, the State Water Board provided notice to members of the public and public agencies of the opportunity to submit written comments on the proposed Trash Amendments and the Draft Staff Report; the written comment period; and the dates for the public workshop and public hearing to receive oral comments and evidence regarding the proposed Trash Amendments.
 - f. During the written public comment period, the State Water Board conducted a public workshop on July 16, 2014, and a public hearing on August 5, 2014, to solicit public comment and testimony regarding the proposed Trash Amendments and Draft Staff Report.
 - g. The State Water Board provided written responses to seventy-six written public comment letters timely received and three written comment letters received after the comment deadline.
 - h. Based on the oral and written comments, the State Water Board revised the proposed Trash Amendments and Draft Staff Report. On December 31, 2014, the State Water Board distributed and posted the proposed Final Trash Amendments and proposed Final Staff Report.
 - i. On February 12, 2015, the State Water Board provided a forty-five day notice to the public that the State Water Board would hold a public meeting to consider the adoption of the proposed Final Trash Amendments and approval of the Final Staff Report.
15. The Staff Report satisfies the substantive requirements applicable to the State Water Board's certified exempt regulatory programs to comply with CEQA.
- a. The Staff Report contains a description of the project, a completed environmental checklist, an identification of any significant or potentially significant adverse impacts of the project; an analysis of reasonable alternatives to the project and mitigation measures; and an environmental analysis of the reasonably foreseeable methods of compliance, including a reasonable range of environmental, economic, and technical factors, population and geographic areas. (23 Cal. Code Regs. § 3777, subs. (a)-(c).)

- b. The State Water Board is the lead agency for the proposed Trash Amendments. In preparing the Staff Report's environmental analysis pertaining to the reasonably foreseeable methods of compliance, the State Water Board is "not required to conduct a site-specific project level analysis of the methods of compliance, which CEQA may otherwise require of those agencies who are responsible for complying with the plan or policy when they determine the manner in which they will comply." (Id. § 3777, subd. (c).). Dischargers that have the Trash Amendment's implementation requirements incorporated into their respective permits will be required to select the specific method or methods to employ to achieve compliance. Project-level analysis is expected to be conducted by the appropriate public agency prior to implementation of project-specific methods of compliance for the proposed Trash Amendments. The environmental analysis in the Staff Report assumes that the project specific methods of compliance would be designed, installed, and maintained following all applicable state and local laws, regulations, and ordinances.
 - c. The Final Substitute Environmental Documentation consists of the Draft Staff Report dated June 10, 2014, the Proposed Final Staff Report, comments and responses to comments on the Draft Staff Report and the proposed Trash Amendments, the environmental checklist, and this resolution. (Id. §§, 3777, 3779.5, subd. (b).)
16. Pursuant to Health and Safety Code section 57004, the Draft Staff Report and proposed Trash Amendments underwent external scientific peer review through an interagency agreement with the University of California. Peer review was solicited on March 10, 2014 and completed on July 14, 2014.
17. Adoption of the Trash Amendments is consistent with the State Antidegradation Policy (State Water Board Resolution 68-16) and the federal Antidegradation Policy (40 CFR § 131.12).
18. The Trash Amendments do not become effective until approved by the State Office of Administrative Law (OAL) and the Trash Amendments' narrative water quality objective for trash does not become effective until approved by the United States Environmental Protection Agency (U.S. EPA).

THEREFORE, BE IT RESOLVED THAT:

1. In accordance with California Code of Regulations, title 23, section 3779.5, subdivision (c), and California Code of Regulations, title 14, section 15091, subdivision (a)(2), the State Water Board hereby finds there are potentially significant impacts to air quality, biological resources, cultural resources, geology/soil resources, hazards and hazardous materials, hydrology/water quality, noise and vibration, public services, transportation/traffic, and utilities/ service systems and potentially cumulative significant impacts related to noise and vibration, air quality, transportation and circulation, utilities and service systems, and greenhouse gas emissions by some of the reasonably foreseeable methods of compliance. As discussed in the Staff Report, potentially significant impacts to air quality and potentially cumulative significant impacts related to noise and vibration, air quality, transportation and circulation, utilities and service systems, and greenhouse gas emissions may arise from the installation and maintenance of one or more the different types of the full capture systems and street sweeping. Also as discussed in the Staff Report, potentially significant impacts

to biological resources, cultural resources, geology/soil resources, hazards and hazardous materials, hydrology/water quality, noise and vibration, public services, transportation/traffic, and utilities/ service systems may arise from the installation and maintenance of one or more the different types of the full capture systems. The Staff Report explains that measures are available for each method of compliance that, if implemented, can reduce or eliminate those impacts. Selection of the methods of compliance and mitigation measures are not under the control or discretion of the State Water Board, and to the extent they are within the responsibility and jurisdiction of other public agencies, such public agencies will be required to comply with CEQA in approving the methods of compliance. Such agencies have the ability to implement the mitigation measures, can and should implement the mitigation measures, and are required under CEQA to consider whether to implement the mitigation measures when the agencies undertake their own evaluation of impacts associated with specific activities to comply with the Trash Amendments.

2. The State Water Board hereby approves and adopts the Final CEQA Substitute Environmental Documentation, which was prepared, where appropriate, in accordance with the provisions applicable to the State Water Board's certified exempt regulatory programs, California Code of Regulations, title 23, sections 3777 through 3779.
3. After considering the entire administrative record, including all oral testimony and comments received at the adoption meeting, the State Water Board hereby adopts the Trash Amendments, which are specifically titled the Amendment to the Water Quality Control Plan for Ocean Waters of California to Control Trash (Appendix D of the Staff Report) and Part I Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California (Appendix E of the Staff Report).
4. The State Water Board directs State Water Board staff, in consultation with the California Stormwater Quality Association, other interested stakeholders, and the Regional Water Boards, to evaluate whether Treatment Controls TC-10, TC-11, TC-12, TC-22, TC-32, and TC-40, as set forth in the New Development and Redevelopment BMPs Handbook (California Stormwater Quality Association, 2003) meet the requirements for certification as "full capture system" as defined in the Trash Amendments and report on same to the State Water Board within six months of the adoption of the Trash Amendments.
5. The State Water Board directs staff, as part of the Stormwater Strategic Initiative, to evaluate strategies to address generation of trash in "hot spots." Staff, at a minimum, shall consider discharges, including but not limited to, from homeless encampments, high-use beaches as defined under Assembly Bill 411, and parks adjacent to waters of the State.
6. The State Water Board directs State Water Board staff, in consultation with the Ocean Protection Council and other governmental agencies and stakeholders, to assess potential performance measures, including receiving water monitoring, for evaluating the environmental outcomes of Trash Amendments implementation.
7. The State Water Board directs State Water Board staff, in conjunction with the Regional Water Boards, to periodically report to the State Water Board on the status of the implementation of the Trash Amendments, at a minimum within three and seven years following the first implementing permit.

8. The State Water Board directs the Los Angeles Water Board to convene a public meeting within a year of the effective date of the Trash Amendments to reconsider the scope of its trash TMDLs, with the exception of the TMDLs for the Los Angeles River and Ballona Creek watersheds, and to consider an approach that would focus municipal separate storm sewer systems (MS4) permittees' trash control-efforts on high-trash generation areas within their jurisdiction.
9. The Regional Water Boards, within eighteen months of the effective date of the Trash Amendments, and for each NPDES MS4 permittee within their respective region subject to either of the Trash Amendments, shall comply with the time schedules contained therein.
10. The State Water Board, within eighteen months of the effective date of the Trash Amendments, and for each NPDES MS4 permittee subject to either of the Trash Amendments, shall comply with the time schedules contained therein.
11. The Executive Director or designee is authorized to submit the Trash Amendments to OAL and the U.S. EPA for review and approval.
12. The Executive Director or designee is authorized to make minor, non-substantive modifications to the language of the Trash Amendments, if OAL determines that such changes are needed for clarity or consistency, and inform the State Water Board of any such changes.
13. The State Water Board directs State Water Board staff, upon approval by OAL, to file a Notice of Decision with the Secretary for Natural Resources and transmit payment of the applicable fee as may be required to the Department of Fish and Wildlife pursuant to Fish and Game Code section 711.4.

CERTIFICATION

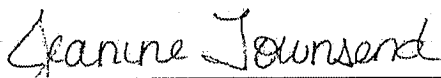
The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on April 7, 2015.

AYE: Chair Felicia Marcus
Vice Chair Frances Spivy-Weber
Board Member Tam M. Doduc
Board Member Steven Moore
Board Member Dorene D'Adamo

NAY: None

ABSENT: None

ABSTAIN: None



Jeanine Townsend
Clerk to the Board

**State of California
Office of Administrative Law**

In re:
State Water Resources Control Board

Regulatory Action:

Title 23, California Code of Regulations

Adopt sections: 3008

Amend sections:

Repeal sections:

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11353


OAL Matter Number: 2015-1016-05

OAL Matter Type: Regular (S)

On April 7, 2015, the State Water Resources Control Board (SWRCB) adopted Resolution 2015-0019, which approved an "Amendment to the Water Quality Control Plan for Ocean Waters of California to Control Trash" and "Part 1 Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries" to provide a consistent regulatory approach to reduce trash in state waters. The amendments include six primary elements: a narrative water quality objective, a prohibition of discharge, corresponding applicability, implementation provisions, a time schedule, and monitoring and reporting requirements.

OAL approves this regulatory action pursuant to section 11353 of the Government Code.

Date: December 2, 2015


Lindsey S. McNeill
Attorney

For: DEBRA M. CORNEZ
Director

Original: Thomas Howard
Copy: Katherine Faick

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY

REPORT OF THE CHAIRMAN OF THE COMMITTEE ON THE
FUTURE OF THE DEPARTMENT OF CHEMISTRY

TO THE BOARD OF TRUSTEES OF THE UNIVERSITY OF CHICAGO
AND TO THE FACULTY OF THE DEPARTMENT OF CHEMISTRY

BY THE CHAIRMAN OF THE COMMITTEE ON THE
FUTURE OF THE DEPARTMENT OF CHEMISTRY

AND BY THE MEMBERS OF THE COMMITTEE ON THE
FUTURE OF THE DEPARTMENT OF CHEMISTRY

THE CHAIRMAN OF THE COMMITTEE ON THE
FUTURE OF THE DEPARTMENT OF CHEMISTRY

AND THE MEMBERS OF THE COMMITTEE ON THE
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AND THE MEMBERS OF THE COMMITTEE ON THE
FUTURE OF THE DEPARTMENT OF CHEMISTRY

REGULAR

See Instructions

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 2015-1016-055	EMERGENCY NUMBER
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For use by Office of Administrative Law (OAL) only

2015 OCT 16 P 3:30

OFFICE OF
ADMINISTRATIVE LAW

NOTICE

REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY
State Water Resources Control BoardAGENCY FILE NUMBER (if any)
Resolution No. 2015-0019

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed <input type="checkbox"/> Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER		PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) <u>Amendment to the Water Quality Control Plan for Ocean Waters of California</u> <u>Control Trash and Part 1 Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries</u>	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT Division 3, Chapter 23, Section 3008.
TITLE(S) Title 23	AMEND REPEAL
3. TYPE OF FILING	
<input type="checkbox"/> Regular Rulemaking (Gov. Code § 11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§ 11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, § 11346.1(b))	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§ 11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, § 11346.1)
<input type="checkbox"/> Emergency Readopt (Gov. Code, § 11346.1(h)) <input type="checkbox"/> File & Print <input checked="" type="checkbox"/> Other (Specify) <u>Gov. Code Section 11353</u>	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, § 100) <input type="checkbox"/> Print Only
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, § 44 and Gov. Code § 11347.1)	
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, § 100) <input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code § 11343.4(a)) <input type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> § 100 Changes Without Regulatory Effect <input checked="" type="checkbox"/> Effective other (Specify) <u>Upon approval by OAL (Per Gov. Code Section 11353)</u>	
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY <input type="checkbox"/> Department of Finance (Form STD. 399) (SAM § 6660) <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal <input checked="" type="checkbox"/> Other (Specify) <u>U.S. EPA review and approval subsequent to OAL</u>	

7. CONTACT PERSON Katherine Falck	TELEPHONE NUMBER (916) 445-2317	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) katherine.falck@waterboards.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <u>Victoria A. Whitney</u>	DATE <u>10/6/2015</u>
TYPED NAME AND TITLE OF SIGNATORY <u>Victoria A. Whitney, Deputy Director for Water Quality</u>	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

DEC 02 2015

Office of Administrative Law

Clear and Concise Summary of Regulatory Provisions

The following text is to be added to Title 23 of the California Code of Regulations:

TITLE 23. Waters

Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

Chapter 23. Water Quality Control Plans

§ 3008. "Amendment to the Water Quality Control Plan for Ocean Waters of California to Control Trash" and "Part 1 Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries" adopted by the State Water Resources Control Board on April 7, 2015.

On April 7, 2015, the State Water Resources Control Board (State Water Board) adopted Resolution 2015-0019, which approved an "Amendment to the Water Quality Control Plan for Ocean Waters of California to Control Trash" and "Part 1 Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries" (collectively referred to as the Trash Amendments).

- (1) The Trash Amendments provide a consistent regulatory approach to protect the beneficial uses of surface waters of the state from impacts of trash through a land use-based compliance approach to focus limited resources on high-trash generating areas.
- (2) The Trash Amendments apply to all surface waters of the State, with the exception of those waters within the jurisdiction of the Los Angeles Regional Water Board where trash or debris Total Maximum Daily Loads (TMDLs) are in effect prior to the effective date of the Trash Amendments.
- (3) The Trash Amendments include six primary elements: a narrative water quality objective, a prohibition of discharge, corresponding applicability, implementation provisions, a time schedule, and monitoring and reporting requirements.

APPENDIX B: ENVIRONMENTAL CHECKLIST

Background

PROJECT TITLE: Amendment to the Water Quality Control Plan for the Ocean Waters of California to Control Trash and Part 1 Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California

LEAD AGENCY: State Water Resources Control Board
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PROJECT LOCATION: Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California, and Water Quality Control Plan for Ocean Waters of California.

DESCRIPTION OF PROJECT: The State Water Board is proposing an Amendment to the Water Quality Control Plan for Ocean Waters of California to Control Trash and Part 1 Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California. The amendment to control trash and Part 1 Trash Provisions are collectively referred to as the "Trash Amendments".²³ The provisions proposed in the proposed final Trash Amendments include six elements: (1) water quality objective, (2) applicability, (3) prohibition of discharge, (4) implementation provisions, (5) time schedule, and (6) monitoring and reporting requirements. The

²³ The State Water Board intends to amend the Water Quality Control Plan for Enclosed Bays and Estuaries of California to create the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California Plan (ISWEBE Plan). The State Water Board intends that the Part 1 Trash Provisions will be incorporated into the ISWEBE Plan, once it is adopted.

proposed provisions would apply to all surface waters of the state, with the exception of those waters within the jurisdiction of the Los Angeles Water Board with trash or debris TMDLs that are in effect prior to the effective date of the Trash Amendments.

The State Water Board's project objective for the final Trash Amendments is to address the impacts of trash on surface water bodies across California (with the exception of those waters within the jurisdiction of the Los Angeles Water Board with trash or debris TMDLs that are in effect prior to the effective date of the Trash Amendments) through development of a statewide plan governing trash. The project objective for the final Trash Amendments is to provide statewide consistency for the Water Boards' regulatory approach to protect aquatic life and public health beneficial uses, and reduce environmental issues associated with trash in state waters, while focusing limited resources on high trash generating areas.

The reasonably foreseeable methods of compliance with the final Trash Amendments are described in Section 5, and the environmental effects are described in Section 6 of the Final Staff Report. The reasonably foreseeable methods of compliance are addressed by type of trash-control method, namely: treatment controls (e.g., catch basin inserts, vortex separation systems, trash nets, and Gross Solids Removal Devices), institutional controls (e.g., enforcement of litter laws, street sweeping, storm drain cleaning, public education, and ordinances), and LID and multi-benefit projects.

Environmental Impacts

The environmental factors checked below could be potentially affected by this project. See the Section 6 of the Final Staff Report for more details.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture and Forestry Resources	<input checked="" type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Geology/Soils
<input checked="" type="checkbox"/> Greenhouse Gas Emissions	<input checked="" type="checkbox"/> Hazards & Hazardous Materials	<input checked="" type="checkbox"/> Hydrology/Water Quality
<input checked="" type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Energy and Mineral Resources	<input checked="" type="checkbox"/> Noise
<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Recreation
<input checked="" type="checkbox"/> Transportation/Traffic	<input checked="" type="checkbox"/> Public Services	<input type="checkbox"/> Mandatory Findings of Significance
	<input checked="" type="checkbox"/> Utilities/Service Systems	

Issues (and Supporting Information Sources):

Potentially Significant Impact Less Than Significant With Mitigation Incorporated Less Than Significant Impact No Impact

AESTHETICS. Would the project:

- a) Have a substantial adverse effect on a scenic vista? ☐ ☐ ☒ ☐

- | | | | | | |
|----|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| b) | Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) | Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Although the final Trash Amendments do not require land alteration, it is expected that some minimal land alteration would be associated with several of the reasonably foreseeable methods of compliance. While compliance may require the installment of full capture systems, it is unlikely that the aesthetics of the natural environment would be adversely affected by improvements to existing infrastructure.

The general aesthetic characteristic of those portions of the state where the final Trash Amendments would be implemented are densely urbanized. Implementing trash reduction measures should reduce the visual effects of litter generated within the jurisdiction and should reduce the visual effects of the high volumes of trash that collect downstream from the upstream sources. Trash may collect near storm water inlets where capture devices block trash from entering the storm water system. The amount of trash that may accumulate at these locations should not differ from baseline conditions, and the trash accumulating would not be entering the storm water system. Increased street sweeping and other institutional controls could lessen the amount of trash near storm water drop inlets, decreasing the amount of trash that may accumulate. Implementation of the final Trash Amendments would eventually improve the overall aesthetic appeal of the state by the removal of visible trash, thus resulting in a positive impact.

Since vortex separation system units and catch basin inserts would be installed within already existing storm drain networks, it is also not foreseeable that the installation of a vortex separation system or catch basin insert would substantially damage scenic resources and/or degrade the existing visual character or quality of any particular location and its surroundings. It is not foreseeable that the installation activities associated with these units would result in any substantial adverse effect on the scenic vistas of the location. Catch basin insert are unlikely to create an aesthetically offensive site after installation because they are installed at street level.

Installation of in-line trash nets would not foreseeably obstruct scenic vistas or opens views to the public as their installation will be limited to locations within the storm drain system and not in open channels. To the extent that a particular control at a particular site could obstruct scenic views, such an impact could be avoided by employing non-structural controls such as increased litter enforcement. End-of-Pipe trash nets are surface devices and could impair the aesthetics of the installation site. This impairment could be alleviated by employing alternative structural devices, such as in-line trash nets, or by employing nonstructural controls, such as increased litter enforcement.

Trash nets could also become targets of vandalism. Improved security measures and enforcement of anti-vandalism regulations could decrease instances of vandalism.

Gross Solids Removal Devices are subsurface devices and, as such, would not foreseeably obstruct scenic vistas or open views after installation. The installation of Gross Solids Removal Devices, however, may affect the aesthetics of the installation site. This effect on aesthetics could be lessened by using construction BMPs, such as screening off the construction site. Standard architectural and landscape architectural practices can be implemented to reduce impacts from aesthetically offensive structural impacts. Any effects would be short-term and not be considered to substantially degrade the existing visual character or quality of the site and its surroundings.

Gross Solids Removal Devices, as well as trash nets, could also become targets of vandalism. Vandalized structures may become an aesthetically offensive site. Vandalism, however, already exists to some degree in most urbanized areas and adding new structures are not likely to have any impact upon current vandalism trends over baseline conditions. Improved security measures and enforcement of anti-vandalism regulations could decrease instances of vandalism.

Neither increased street sweeping, enforcement of litter laws, ordinances, nor public education result in impairment of scenic and open views. Rather, these alternatives would pose a positive aesthetic impact by reducing visible trash.

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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AGRICULTURAL AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental impacts, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping & Monitoring Program of the California Resources Agency, to non-agricultural uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined by Public Resources Code section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

d) Result in the loss of forest land or conversion of forest land to non-forest use? ☐ ☐ ☐ ☒

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? ☐ ☐ ☐ ☒

The final Trash Amendments would not affect agriculture or farmland as they do not alter zoning laws or require conversions to different land uses. Significant trash generation is not expected on agricultural or forestry lands, therefore the use of structural BMPs is not likely in these areas.

Increased street sweeping would be implemented in currently urbanized areas, and it is unlikely that this implementation would cause the removal, disturbance or change in agricultural or forest resources. The implementation would not result in new population or employment growth at the extent that could create a need for new housing development on agricultural or forest land. The implementation also would not require any off-site road improvements or other infrastructure that could result in conversion of farmland to non-agricultural use or forest land to non-forest use.

Enforcements of litter laws, ordinances, and public education would be implemented in currently urbanized areas. There are no foreseeable impacts on agricultural or forest resources.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Issues (and Supporting Information Sources):				

AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

e) Create objectionable odors affecting a substantial number of people?

☐ ☒ ☐ ☐

Potential impacts to air quality due to implementation of the final Trash Amendments are discussed in Section 6.2 Air Quality of the Final Staff Report.

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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BIOLOGICAL RESOURCES. Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

☐ ☒ ☐ ☐

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

☐ ☐ ☒ ☐

c) Have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the federal Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption or other means?

☐ ☐ ☒ ☐

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory corridors, or impede the use of native wildlife nursery sites?

☐ ☒ ☐ ☐

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

☐ ☐ ☒ ☐

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

☐ ☐ ☒ ☐

Potential impacts to biological resources due to implementation of the final Trash Amendments are discussed in Section 6.3 of the Final Staff Report.

Potentially Less Than Significant With Less Than

Issues (and Supporting Information Sources):	Significant Impact	Mitigation Incorporated	Significant Impact	No Impact
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CULTURAL RESOURCES. Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource as defined in § 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Potential impacts to cultural resources due to implementation of the final Trash Amendments are discussed in Section 6.4 Cultural Resources of the Final Staff Report.

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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GEOLOGY and SOILS. Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated in the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines & Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternate wastewater disposal systems where sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Potential impacts to geological and soil resources due to implementation of the final Trash Amendments are discussed in Section 6.5 Geology/Soils of the Final Staff Report.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Issues (and Supporting Information Sources):				

GREENHOUSE GAS EMISSIONS. Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Potential impacts from greenhouse gas emissions due to implementation of the final Trash Amendments are discussed in Section 6.6 Greenhouse Gas Emissions of the Final Staff Report.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Issues (and Supporting Information Sources):				

HAZARDS and HAZARDOUS MATERIALS. Would the project:

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or to the environment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Potential impacts from hazards or hazardous materials due to implementation of the final Trash Amendments are discussed in Section 6.7 Hazards and Hazardous Materials of the Final Staff Report.

Issues (and Supporting Information Sources):	Potentially Significant impact	Less Than Significant With Mitigation Incorporated	Less Than Significant impact	No Impact
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HYDROLOGY and WATER QUALITY. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potential impacts to hydrology and water quality due to implementation of the final Trash Amendments are discussed in Section

6.8 Hydrology/Water Quality of the Final Staff Report.

Issues (and Supporting Information Sources):

LAND USE AND PLANNING. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potential impacts to land use and planning due to implementation of the final Trash Amendments are discussed in Section

6.9 Land Use/Planning of the Final Staff Report.

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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MINERAL RESOURCES. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local-general plan, specific plan, or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The final Trash Amendments will not have a substantial impact on mineral resources. Any mineral resources that may occur within areas chosen for the installation of structural controls will have already been made unavailable by the existence of the current land uses and related infrastructure. Implementation of the final Trash Amendments will not further impact any potential mineral resources.

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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NOISE. Would the project result in:

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing in or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing in or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Potential noise impacts due to implementation of the final Trash Amendments are discussed in Section 6.10 Noise and Vibration of the Final Staff Report.

Issues (and Supporting Information Sources):

POPULATION AND HOUSING. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The final Trash Amendments would not induce population growth, affect housing, or displace individuals. See also Section 7.1 Growth-Inducing Impacts of the Final Staff Report for further discussion.

Vortex separation systems (i.e., Continuous Deflective Separation units) are installed below grade and are appropriate for highly urbanized areas where space is limited. The installation of vortex separation systems may require modification of storm water conveyance structures. These devices can be installed in existing storm drain infrastructure, therefore, no additional land is required nor is there a need to displace existing housing. Maintenance of the vortex separation system involves the removal of the solids either by using a vactor truck, a removable basket or a clam shell excavator depending on the design and size of the unit. Therefore, it is not reasonably foreseeable that the installation and maintenance of vortex separation systems would directly or indirectly induce population growth, displace people or existing housing, or create a demand for additional housing. To the extent that these devices, if employed, would displace available housing, it is not reasonably foreseeable that the responsible agencies would install such a device. Rather, an agency would foreseeably opt for non-structural control measures, such as enforcing litter ordinances.

The Gross Solids Removal Devices were developed by Caltrans to be retrofitted below grade into existing highway drainage systems or installed in future highway drainage systems. These devices are appropriate for highly urbanized areas where space is limited. The Gross Solids Removal Devices can be designed to accommodate vehicular loading. Maintenance of the devices involves the removal of the solids either by using a vactor truck or other equipment. The installation of Gross Solids Removal Devices may require modification of storm water conveyance structures; however, these units would generally be sited below grade and within existing storm drain infrastructure. The installation of Gross Solids Removal Devices is not expected to require additional

land nor is there a need to displace existing housing. To the extent that these devices, if employed, may conceivably require the displacement of available housing, it is not reasonably foreseeable that the responsible agencies would install such a device. Rather, an agency would foreseeably opt for non-structural control measures, such as enforcing litter ordinances.

It is not reasonably foreseeable that the installation and maintenance of trash nets or catch basin inserts would induce population growth, displace people or existing housing or create a demand for additional housing. These units are installed entirely within existing storm drain infrastructure.

It is not reasonably foreseeable that increased street sweeping would induce population growth, displace people or existing housing or create a demand for additional housing. Current street sweeping, whether infrequent or frequent, does not have this effect. It is not reasonably foreseeable that enforcement of litter laws would induce population growth, displace people or existing housing or create a demand for additional housing. Current litter laws do not have this effect. It is not reasonably foreseeable that public education and ordinances would induce population growth, displace people or existing housing or create a demand for additional housing.

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response times or other performance objectives for any of the public services:

a) Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Because of the expected location of the proposed project and reasonably foreseeable methods of compliance, it is not expected to be in the vicinity of or affect the objectives for schools, parks, or other public facilities. Potential impacts to fire and police protection public services due to implementation of the final Trash Amendments are discussed in Section

6.11 Public Services of the Final Staff Report.

Potentially Significant	Less Than Significant With Mitigation	Less Than Significant
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Issues (and Supporting Information Sources):

Impact Incorporated Impact No Impact

RECREATION. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The final Trash Amendments would not have a substantial impact on recreation.

Treatment controls (e.g., vortex separation systems, catch basin inserts, etc.), can be installed at or below grade in existing storm drain systems, which should not require any additional land. Therefore, it is not reasonably foreseeable that park land, recreational of open space areas will be needed for the installation of structural controls.

Installation of treatment controls may temporarily impact the usage of existing recreational sites. For instance, bike lanes or parking locations for recreational facilities may be temporarily unavailable during installation of structural controls. These potential impacts will be short in duration and have a less-than-significant effect on recreation.

It is not reasonably foreseeable that increased street sweeping, enforcement of litter laws, ordinances, or public education would impact the quality or quantity of existing recreational opportunities. In addition, implementation of the final Trash Amendments is designed to improve the quality of the affected water bodies and associated beaches and shorelines. This will likely create a positive impact and increase recreational opportunities throughout the watersheds.

Issues (and Supporting Information Sources):

Potentially Significant Impact Less Than Significant With Mitigation Incorporated Less Than Significant Impact No Impact

TRANSPORTATION / TRAFFIC. Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Potential impacts to transportation/traffic due to implementation of the final Trash Amendments are discussed in Section 6.12 Transportation/Traffic of the Final Staff Report.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Issues (and Supporting Information Sources):				

UTILITIES AND SERVICE SYSTEMS. Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Potential impacts related to storm drainage to implementation of the final Trash Amendments are discussed in Section 6.13 Utilities/Service Systems of the Final Staff Report.

Issues (and Supporting Information Sources):

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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MANDATORY FINDINGS OF SIGNIFICANCE.

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

The final Trash Amendments would neither degrade the environment nor adversely affect cultural resources. The installation of structural controls may temporarily impact environmental resources, but as discussed in Section 6 of the Final Staff Report, implementation of the mitigation measures identified in the draft SED should reduce potential impacts to less-than significant levels.

As discussed in Section 7.2 Cumulative Impacts Analysis of the Final Staff Report, adoption of the final Trash Amendments would not result in significant cumulatively considerable impacts with implementation of mitigation measures. The overall effect of the final Trash Amendments would be a reduction in the amount of trash entering the State's water bodies thereby improving water quality and protecting the beneficial uses of those waters.

The final Trash Amendments would not, in any way, cause substantial adverse effects on human beings. Where temporary effects have been identified in the Final Staff Report (i.e., transportation/traffic), mitigation measures have also been identified to reduce those impacts to less-than-significant levels.